

HOUSE BILL NO. 415

INTRODUCED BY P. CLARK

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A BILL FOR AN ACT ENTITLED: "AN ACT LIMITING THE LIABILITY OF PRIVATE ENTITY EMERGENCY MEDICAL RESPONDERS; AND AMENDING SECTION 27-1-714, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 27-1-714, MCA, is amended to read:

"27-1-714. Limits on liability for emergency care rendered at scene of accident or emergency.

(1) Any person licensed as a physician and surgeon under the laws of the state of Montana, any volunteer firefighter or officer of any nonprofit volunteer fire company, or any other person who in good faith renders emergency care or assistance without compensation ~~except as provided in subsection (2)~~ and any emergency medical technician, as defined in 50-6-202, any other person providing emergency medical service, as defined in 50-6-302, or a member of a nontransporting medical unit, as defined in 50-6-302, employed by a private entity who in good faith renders emergency care or assistance with or without compensation at the scene of an emergency or accident is not liable for any civil damages for acts or omissions other than damages occasioned by gross negligence or by willful or wanton acts or omissions by ~~such the~~ such the person in rendering ~~such~~ emergency care or assistance.

~~(2) Subsection (1) includes a person properly trained under the laws of this state who operates an ambulance to and from the scene of an emergency or renders emergency medical treatment on a volunteer basis so long as the total reimbursement received for such volunteer services does not exceed 25% of his gross annual income or \$3,000 a calendar year, whichever is greater.~~

~~(3)~~(2) If a nonprofit subscription fire company refuses to fight a fire on nonsubscriber property, ~~such the~~ refusal does not constitute gross negligence or a willful or wanton act or omission."

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